IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1998 OF 2005

IN

FIRST APPEAL NO. 1081 OF 2001

Shri Raosaheb D. Hajare, since
deceased through L.Rs.
Smt. Durgabai R. Hajare & Ors. ..Applicants

versus

Ulhasnagar Municipal Corporation ..Respondents

Ms. Gauri Godse for the Applicants / Appellants.
Mr. S. M. Sawant for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 4TH MAY, 2005

P.C. :

1. This appal was decided by me on 16.3.2005. Compensation was reduced to Rs.1,55,000/- with interest as awarded by the Court. It is noted in the said order that claimants have already withdrawn Rs.1 lac. So far as remaining amount of Rs.55,000/- with interest is concerned, the above application is filed because even though there were four legal heirs of the original claimants, one Ranjeet S. Hajare is not available for withdrawing his 1/4th share and therefore other three legal heirs want that they may be permitted to withdraw their

respective 1/4th share from the amount deposited in the court. Counsel for the original appellants has no objection.

2. Therefore, this application is allowed. Claimants - Applicants Smt. Durgabai Raosaheb Hajare, Rajukumar Raosabhe Hajare and Nanda Raosaheb Hajare, are permitted to withdraw their 1/4th share from the amount of Rs.55,000/- with interest whatever that comes. Remaining 1/4th share to remain in court till the applicant No.2 i.e. Ranjeet Raosaheb Hajare claims the same. Civil Application disposed of.

4.05.2005 (D.G. DESHPANDE, J.)